

UTILITY PATENT APPLICATION TRANSMITTAL

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.

020.0328.US.UTL

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of () application identifier or (X) first named inventor, Jeffery A. Von Arx, entitled System And Method For Securely Authenticating A Data Exchange Session With An Implantable Medical Device, for a(n):

(X) Original Patent Application.

() Continuing Application (prior application not abandoned):

() Continuation () Continuation-in-part (CIP)

() Divisional () Request for continued examination

of prior application No: _____ Filed on: _____

() A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

(X) Specification; 36 Total Pages.

(X) Drawing(s); 11 Total Sheets.

(X) Oath or Declaration:

(X) A Newly Executed Combined Declaration and Power of Attorney:

() Signed.

(X) Unsigned.

() Partially Signed.

() A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).

() Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

() Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).

(X) Formal Drawings Transmittal Letter.

(X) Return Receipt Postcard.

(X) Application Fee Transmittal.

(X) A Credit Card Payment for of \$ 2,384.00 for the Filing Fee.

() Preliminary Amendment.

() Information Disclosure Statement and Form PTO-1449.

(X) A Duplicate Copy of this Form for Processing Fee Against Deposit Account.

(X) Request & Certification Under 35 U.S.C. 122(b)(2)(B)(i).

() Applicant claims small entity status.

() Other: _____

CLAIMS AS FILED				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
Total Claims	81	61	\$ 18.00	\$1,098.00
Independent Claims	9	6	\$ 86.00	\$ 516.00
Multiple Dependent Claims (if applicable)				\$0.00
Assignment Recording Fee				\$0.00
Basic Filing Fee				\$ 770.00
Total Filing Fee				\$2,384.00

Charge \$ _____ to Deposit Account 503031 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, please charge any fees required or credit any overpayment to this Deposit Account.

Respectfully submitted,

By: _____

Patrick J.S. Inouye, Attorney of Record, Reg. No.40297

Date: March 15, 2004

Correspondence Address:

Law Offices of Patrick J.S. Inouye
810 Third Avenue Suite 258
Seattle, WA 98104
Phone: (206) 381-3900
Fax: (206) 381-3999

I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: _____

Typed Name: Larissa V. Pigott

Express Mail Label No.: EV317784274US

Date of Deposit: March 15, 2004

Customer No. 22895

22858 U.S. PTO
10/800806
031504

031504

14230 U.S. PTO

PTO/SB/17 (10-03)


Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	Unassigned
		Filing Date	March 15, 2004
		First Named Inventor	Von Arx, et al.
		Examiner Name	Unassigned
		Art Unit	Unassigned
TOTAL AMOUNT OF PAYMENT		(\$) 2,384.00	
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27		Attorney Docket No. 020.0328.US.UTL	

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)			
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None					
<input type="checkbox"/> Deposit Account					
Deposit Account Number 503031					
Deposit Account Name Law Offices of Patrick J.S. Inouye					
The Director is authorized to: (check all that apply)					
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments					
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)					
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.					
FEE CALCULATION					
1. BASIC FILING FEE		3. ADDITIONAL FEES			
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)770					
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims 81 -20**= 61 x 18 = 1098					
Independent Claims 9 -3**= 6 x 86 = 516					
Multiple Dependent					
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)1,614					
** or number previously paid, if greater; For Reissues, see above					
				Other fee (specify)	
				Reduced by Basic Filing Fee Paid	
				SUBTOTAL (3) (\$)	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Patrick J.S. Inouye	Registration No. (Attorney/Agent)	40297
Signature		Telephone	(206) 381-3900
		Date	March 15, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)		First Named Inventor	Von Arx, et al.
		Title	System And Method For Securely Authenticating A Data Exchange Session With An Implantable Medical Device
		Attorney Docket Number	020.0328.US.UTL

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 15, 2004

Date


Signature

(206) 381-3900

Telephone number

Patrick J.S. Inouye

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Von Arx, et al

Application No.: Unassigned

Filed: March 15, 2004

Title: System And Method For Securely
Authenticating A Data Exchange
Session With An Implantable Medical
Device

Group Art Unit: Unassigned

Examiner: Unassigned

Attorney Docket No.: 020.0328.US.UTL

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DRAWING TRANSMITTAL LETTER

Sir:

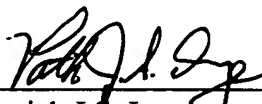
Enclosed herewith please find:

- () _____ sheets of redlined drawing(s) which indicate proposed changes to the drawing(s). Upon approval of these proposed changes, formal drawing(s) will be submitted.
- () _____ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawings Objection (PTO-948) which accompanied the Office Action dated _____.
- () _____ sheets of corrected formal drawing(s), as required by the Notice of Patent Drawing(s) Objection (PTO-948) and approved in the Notice of Allowability dated _____.
- (X) 11 sheets of formal drawing(s). Please substitute these formal drawing(s) for the informal drawing(s) originally filed.

Examiner's approval of the entry of these drawings is respectfully requested. No new matter has been added.

Respectfully Submitted,

Customer Number: 22895

By 
Patrick J.S. Inouye
Attorney/Agent for Applicant(s)
Reg. No. 40297

Date: March 15, 2004

Telephone No.: (206) 381-3900